

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Bendure & Thomas v Mary Caswell**
Docket No. **284794**
L.C. No. **2006-077299-CK**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction. The April 1, 2008 circuit court order transferring this case to the district court is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A)(1). Particularly, that order is not “the first judgment or order that disposes of all the claims and adjudicates the rights and liabilities of all the parties,” MCR 7.202(6)(a)(i), because it does not dispose of the relevant claims but rather transfers them to the district court for resolution. At this time appellant may seek to appeal from the April 1, 2008 order only by filing a delayed application for leave to appeal under MCR 7.205(F).

The motion to extend time for filing appellant’s brief is also DISMISSED as moot.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG - 6 2008

Date

Sandra Schultz Mengel
Chief Clerk